

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER: LYBZ 2 00099
INTERNATIONAL APPLICATION NO. PCT/EP2004/007763		INTERNATIONAL FILING DATE 14 JULY 2004
U.S. APPLICATION NO. (if known) See 37 CFR 1.5) 10756854		PRIORITY DATE CLAIMED 20 AUGUST 2003
TITLE OF INVENTION VACUUM DEVICE		
APPLICANT(S) FOR DO/EO/US Dirk SCHILLER; Holger DIETZ; and Gerhard Wilhelm WALTER		
Applicant submits herewith to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement, related PTO-Form 1449 and references (if required) under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 included.</p> <p>13. <input checked="" type="checkbox"/> A Preliminary Amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet.</p> <p>15. <input checked="" type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer readable form of the sequence listing in accordance with PCT Rule 13.ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information: _____</p>		
Certificate of EXPRESS MAIL		
<p>"Express Mail" Mailing Label Number <u>EV690740857US</u> Date of Deposit: <u>FEBRUARY 17, 2006</u></p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p style="text-align: right;"><u>Hilary M. McNulty</u> Hilary M. McNulty</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/568549	INTERNATIONAL APPLICATION NO. PCT/EP2004/007763	ATTORNEY'S DOCKET NO. LYBZ 2 00099			
The following fees have been submitted:		Calculations PTO Use Only			
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) All other situations		\$300.00 \$0 \$200.00			
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB All other situations		\$0 \$100.00 \$400.00 \$500.00			
TOTAL OF 21, 22 and 23 =		\$900.00			
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		\$0.00			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS	
Total Claims	10 - 20 =	0	x \$50	= \$0.00	\$0.00
Independent Claims	3 - 3 =	0	x \$200	= \$0.00	\$0.00
Multiple Dependent Claim(s)		0	x \$360	= \$0.00	\$0.00
Additional fee for specification and drawings filed in paper over 100 sheets	Group(s): (Group = number of each additional 50 or fraction thereof)	0	x \$250	= \$0.00	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+ \$0.00	
TOTAL NATIONAL FEE =				\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				+ \$40.00	
TOTAL FEES =				\$940.00	

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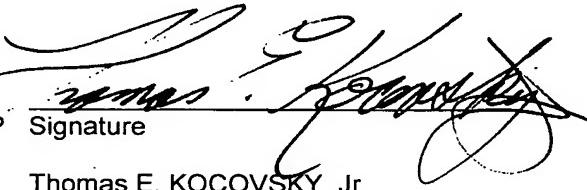
U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/568549	INTERNATIONAL APPLICATION NO. PCT/EP2004/007763	ATTORNEY'S DOCKET NO. LYBZ 2 00099
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- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge Deposit Account No. 06-0308 in the amount of \$ _____ to cover the fees identified. A duplicate of this sheet is enclosed.
- c. Fees indicated above are to be charged to a credit card. The appropriate form PTO-2038 is enclosed for this purpose. If _____ the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit _____ Account No. 06-0308.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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Signature

Thomas E. KOCOVSKY, Jr.
Name

28,383
Registration Number

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10/568549

IAP20 R00000000 17 FEB 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of) Examiner:
D. SCHILLER, et al.)
Serial No.:) Art Unit:
Filed:) Confirmation:
For: **VACUUM DEVICE**)
Attorney Docket No.:) Cleveland, OH 44114
LYBZ 2 00099) February 17, 2006

SUBMISSION OF VERIFIED TRANSLATION

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The applicant is filing herewith a Verified Translation of the priority German-language PCT Patent Application No. PCT/EP2004/007763.

The verified English translation of the application comprises:

6 pages of Specification
2 pages of Claims
1 page of Abstract

Certificate of EXPRESS MAIL

"Express Mail" Mailing Label Number EV690740857US

Date of Deposit: FEBRUARY 17, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Hilary M. McNulty
Hilary M. McNULTY

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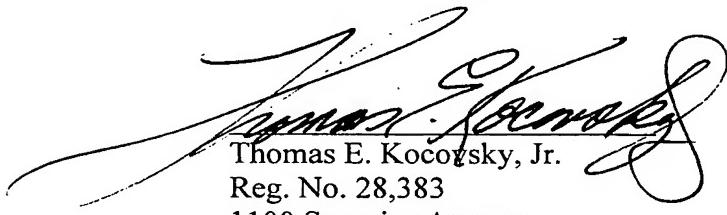
2AP20 REG'D.

17 FEB 2006

Early notice that the filing requirements have been met and an early allowance of this application is respectfully requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP



Thomas E. Kocinsky, Jr.

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D E C L A R A T I O N

I, Sabine Schmidt, domiciled in 51109 Köln,
Am Hirschsprung 46, Germany,
employed as a translator by
Patent Attorneys von Kreisler / Selting / Werner
Deichmannhaus, 50667 Köln, Germany,
hereby declare that I am conversant with the German and English
languages and that the enclosed document is, to the best of my
knowledge and belief, a true translation into English of the German
language international Patent Application PCT/EP2004/007763 filed on
14 July 2004 on behalf of Leybold Vakuum GmbH.

Köln, this 28th day of October, 2005

Sabine Schmidt

(Sabine Schmidt)